



1 Gustavo Ponce, Esq.
Nevada Bar No. 15084
2 Mona Amini, Esq.
Nevada Bar No. 15381
3 **KAZEROUNI LAW GROUP, APC**
6787 W. Tropicana Ave., Ste 250
4 Las Vegas, Nevada 89103
Telephone: (800) 400-6808
5 Facsimile: (800) 520-5523
E-mail: gustavo@kazlg.com
6 E-mail: mona@kazlg.com

7 Scott Edelsberg, Esq. (*pro hac vice*)
Florida Bar No. 0100537
8 Christopher Gold, Esq. (*pro hac vice*)
Florida Bar No. 088733
9 **EDELSBERG LAW, P.A.**
20900 NE 30th Ave.
10 Suite 417
Aventura, FL 33180
11 786-673-2405
scott@edelsberglaw.com
12 chris@edelsberglaw.com

13 *Attorneys for Plaintiffs and the Putative Class*

14
15 **UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

16 GARY YAGHYAZARIAN and ELENA
17 THORMAHLEN, individually and on
behalf of all others similarly situated,

18 Plaintiffs,

19 vs.

20 PROGRESSIVE DIRECT INSURANCE
COMPANY and PROGRESSIVE
21 NORTHERN INSURANCE COMPANY,
Ohio corporations,

22 Defendants.
23
24

Case No.: 2:22-cv-01339-CDS-VCF

**JOINT MOTION FOR EXTENSION
OF TIME TO COMPLETE FACT
DISCOVERY AND AMEND THE
CASE MANAGEMENT ORDER**

FIRST REQUEST

1 Plaintiffs Gary Yaghyazarian and Elena Thormahlen and Defendants
2 Progressive Direct Insurance Company and Progressive Northern Insurance Company
3 jointly move to modify the Case Management Order entered by this Court on December
4 5, 2022 [ECF 47], and state as follows:

5 1. This case is one of thirty-two (32) nearly identical statewide class
6 actions against Defendants and its affiliates challenging the calculation of the
7 Projected Sold Adjustment (“PSA”) in valuing total-loss claims (the “PSA Cases”).
8 King & Spalding LLP represents the defendants in all the PSA Cases, and Shamis &
9 Gentile P.A., Edelsberg Law P.A., Normand PLLC, and Carney Bates & Pulliam
10 represent nearly all plaintiffs in the PSA Cases. Counsel for the Parties are actively
11 litigating approximately thirty (30) other PSA Cases, with expert reports, class
12 certification briefs, or dispositive motion briefs due nearly every week from June
13 through November 2023.

14 2. On December 5, 2022, this Court granted the Parties’ Discovery Plan
15 and Scheduling Order, which set a fact discovery deadline of July 10, 2023. *Id.*

16 3. The Parties have been diligently working to complete fact discovery,
17 however, require additional time to allow the parties to complete document
18 production (including a time-consuming collection of a sample of 150 Nevada
19 insureds’ total loss claim files), and depositions for this case.

20 4. By this Motion, the Parties respectfully seek a 120-day extension of
21 their deadline to complete fact discovery.

22 5. Accordingly, to allow the same amount of time as the Case Management
23 order allotted, the Parties also respectfully request a 120-day extension to all other
24 deadlines.

25 6. Thus, the Parties request that the Court amend the case management
26 order to set new deadlines for fact discovery and all subsequent deadlines.

27 7. The Parties have worked diligently to meet all deadlines set by the
28

scheduling order, and have engaged in significant discovery to date, including exchange of written discovery, production of documents, service of third-party discovery requests, and have scheduled depositions. However, due to the demands of the other PSA Cases, the Parties respectfully request a slight modification to the Case Management Order.

8. For the reasons discussed above, good cause exists for modifying the Case Management Order.

9. This is the first Motion to extend time to complete discovery and amend the Case Management Order.

10. This Motion is made in good faith, not for delay or any dilatory tactic, and no party will be unduly prejudiced or harmed by the grant of this Motion.

WHEREFORE, Plaintiffs and Defendants respectfully request the following modifications detailed below:

	Current Deadline	Proposed Deadline
Parties Fact Discovery	July 10, 2023	November 7, 2023
Plaintiffs' Expert Disclosures	August 9, 2023	December 7, 2023
Plaintiffs' Motion for Class Certification	August 9, 2023	December 7, 2023
Defendants' Expert Disclosures	October 13, 2023	February 12, 2024
Defendants' Opposition to Class Certification	October 13, 2023	February 12, 2024
Plaintiffs' Reply in Support of Class Certification	November 27, 2023	March 26, 2024

1 Respectfully submitted,

2 **KAZEROUNI LAW GROUP, APC**

3 */s/ Gustavo Ponce*

4 Gustavo Ponce, Esq.

5 Mona Amini, Esq.

6069 S. Fort Apache Rd., Suite 100

Las Vegas, Nevada 89148

6 **EDELSBERG LAW, P.A.**

7 Scott Edelsberg, Esq. (*pro hac vice*)

8 Florida Bar No. 0100537

9 Christopher Gold, Esq. (*pro hac vice*)

10 Florida Bar No. 088733

11 20900 NE 30th Ave.

12 Suite 417

13 Aventura, FL 33180

14 *Counsel for Plaintiffs*
15 *and the Proposed Class*

KING & SPALDING LLP

/s/ Allison Hill White

Allison Hill White (*pro hac vice*)

Jeffrey S. Cashdan (*pro hac vice*)

Zachary A. McEntyre (*pro hac vice*)

J. Matthew Brigman (*pro hac vice*)

1180 Peachtree Street, N.E.

Atlanta, Georgia 30309

SANTORO WHITMIRE

James E. Whitmire, Esq.

Nevada State Bar No. 6533

10100 W. Charleston Blvd., Suite 250

KING & SPALDING LLP

Julia C. Barrett (*pro hac vice*)

500 W. 2nd Street

Austin, TX 78701

Counsel for Defendants

14 **IT IS SO ORDERED:**

15 DATED: 6-16-2023

16 

17 Hon. Cam Ferencbach

18 UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on June 15, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel identified below via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner.

Respectfully submitted,

KAZEROUNI LAW GROUP, APC

/s/ Gustavo Ponce

Gustavo Ponce, Esq.

Mona Amini, Esq.

6787 W. Tropicana Ave., Ste 250

Las Vegas, Nevada 89103

